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**MEMO ENDORSED**  
*PR*

June 19, 2007

**VIA HAND DELIVERY**

Honorable Richard M. Berman  
United States District Judge  
Southern District of New York  
United States Courthouse  
40 Centre Street  
Courtroom 706  
New York, New York 10007

**Re: Israel Berger & Associates vs. Baker et. al.**  
**Cast No. 07-CV-5648**

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:         
DATE FILED: JUNE 19, 2007

Dear Judge Berman:

This firm represents the defendants.

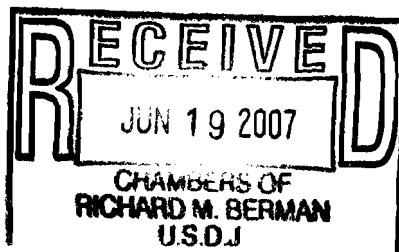
I write in response to having received from plaintiff's counsel by fax, at 8:10 a.m. this morning, a copy of a memo endorsed by the Court.

The memo endorsed is a letter from plaintiff's counsel to the Court dated June 15, 2007 which indicates a copy was mailed to me.

I do not know how plaintiff's counsel transmitted the letter to the Court, but this office has not received a copy of the letter in the mail, fax or otherwise. The first time this firm saw the letter of plaintiff's counsel was this morning at 8:10 a.m.

Further, it appears as though Chambers sent the memo endorsed to plaintiff's counsel at 5:53 p.m. yesterday. Plaintiff's counsel did not forward the letter to this office until this morning.

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By the memo endorsed, we are to file a response by noon tomorrow and appear for a conference on Thursday at 3 p.m. I will be leaving the country tomorrow for a meeting and returning Friday.

In light of the delay in our receiving the letter from plaintiff's counsel and my unavailability, it is respectfully requested that defendants have until Friday at noon to submit their response and that the conference be rescheduled for the early part of next week.

Respectfully submitted,



David B. Newman

DBN/kms

cc: Calvin Kamien, Esq. (Via Facsimile letter). Conference adjourned

Application granted re: filings  
by noon on Friday (although the  
filings should be no longer than this  
letter). Conference adjourned  
to 7/2/07 @ 9:15. (FINAL)

SO ORDERED:

Date: 6/19/07

  
Richard M. Berman, U.S.D.J.